IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

CHAMBER SUMMONS NO.1527 OF 2003
IN
JUDGES ORDER NO. 220 OF 2003

Ganesh Benzoplast Ltd .... Plaintiffs
vs.
Pan Asia Industries Ltd .... Defendant
AND
1. Bank of India
2. Bank of INdia as Debenture
Trustee on behalf of Bank of
India Mutual Fund ..... Applicants

D.H. Mehta with M.H. Mimani and co. for the plaintiffs.
S. Shetye with K.K. Shroff i/b. M.S. Bodhanwala and Co. for the applicants.

CHAMBER SUMMONS NO.1477 OF 2003
IN
CHAMBER SUMMONS NO. 303 OF 2003
IN
SUMMARY SUIT NO. 4431 OF 2003

Ganesh Benzoplast Ltd .... Plaintiffs
vs.
Pan Asia Industries Ltd .... Defendant
AND
Suasions Advertising and
Marketing Pvt Ltd ..... Applicants
AND
Court Receiver ..... Applicants

None for the applicants
D.H. Mehta for the plaintiffs.

CORAM: S.U. KAMDAR, J.

DATE : 1ST MARCH, 2005.

P.C. :

1. The present chamber summons has been taken out by the bank of India as a person who are holding the mortgage in respect of the properties which are described in schedule -I to the said chamber summons. The bank of India is holding the recovery certificate issued by the DRT pursuant to the order dated 24.2.2005. In view of the aforesaid the Debt recovery officer of the DRT in OA 997/2000 shall proceed and dispose off the properties which are mentioned in schedule-I to the chamber summons. However the sale proceeds will be not be distributed and both the parties will be entitled to raise all objections on merits before the DRT and after determining the rival contentions of the parties the Debt Recovery Officer will release the amount in accordance with the order passed by him . Chamber summons No. 1527 of 2003 disposed off accordingly. There shall be no order as to costs.

2. In chamber summons no. 1477 of 2003, none appears for the applicant. Dismissed for default.

sd/-

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